IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO. 1726 OF 2007

M/s. Arts & Design Studio ..Petitioner

Vs.

Mr. Milind Mohanrao Vadanagekar and anr...Respondents

Mr. P.N. Patil and A.S. Gaikwad for petitioner.
Respondent no.1 present in person.
Mr. D.P. Adsule, APP for State.

**CORAM: B.H. MARLAPALLE, J.**

**Date : October 31, 2007.**

**P.C.:**

1. Heard the learned counsel for the petitioner. Mr. Adsule, the learned APP appears for the State. Respondent No.1 present in person.

2. The petitioner is an accused in Criminal Complaint No. 53675 of 2005 filed under Section 138 of the Negotiable Instruments Act, 1881 by the present

respondent no.1. While the complainant was in the witness box, the accused made an application seeking directions from the learned Magistrate for bringing on record certain documents by the complainant and they were claimed to be in his possession. This application was opposed by the complainant and, therefore, the application came to be rejected by the trial court on 3/8/2007. The accused is aggrieved by the said order.

3. The complainant is present in person today and he stated that he is ready and willing to submit these documents before the trial court on 2/11/2007 when the complaint is listed for further examination. The accused will receive a copy of these documents and shall be granted further one week’s time to commence the cross-examination of the complainant. In case, for any reasons, the complainant fails to submit these documents as called for by the application dated 3/8/2007, he shall be granted two weeks more time and accordingly his cross-examination will be deferred for the said period.

4. The petition is disposed off in terms of the above directions. Writ to go to the trial court forthwith.

5. All concerned to act on an authenticated copy of this order.

**(B.H. Marlapalle,J.)**